

Senate File 2136 - Introduced

SENATE FILE 2136
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3035)

A BILL FOR

1 An Act relating to inmate reading rooms in correctional
2 institutions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 904.310A, Code 2018, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 **904.310A Information or materials — distribution.**

5 1. Funds appropriated to the department or other funds made
6 available to the department shall not be used to distribute
7 or make available any commercially published information or
8 material to an inmate when such information or material is
9 sexually explicit or features nudity.

10 2. The department shall adopt rules pursuant to chapter 17A
11 to administer this section.

12 **EXPLANATION**

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to inmate reading rooms in correctional
16 institutions.

17 The bill strikes a provision requiring the director of the
18 department of corrections to provide, as necessary, suitable
19 space for reading material for inmates. Additionally, the
20 bill prohibits the department of corrections from using
21 any appropriated funds or other funds made available to the
22 department to distribute or make available any commercially
23 published information or material to an inmate that is sexually
24 explicit or features nudity.

25 Currently, the reading material provided by the department
26 of corrections shall not include sexually explicit material
27 which the average person, taking the material as a whole and
28 applying contemporary community standards with respect to
29 what is suitable material for inmates, would find appeals
30 to the prurient interest and is patently offensive; and the
31 material, taken as a whole, lacks serious literary, scientific,
32 political, or artistic value. Current law also provides that
33 the space for reading material shall be located in a place
34 where visitors to the institution are not able to view the
35 reading space or materials.